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March 27, 2020

**BY ECF**

Honorable Alison J. Nathan  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: Jesus Marquez v. City of New York, et al.  
20-CV-00755 (AJN)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to represent defendant City of New York ("City") in the above-referenced matter. Defendant City writes to respectfully request a ninety (90) day stay of this litigation, including all scheduled deadlines, the answer to the complaint on behalf of defendant City, and discovery, in light of the current pandemic.<sup>1</sup> Plaintiff's counsel has advised the undersigned that he consents to a sixty (60) day stay of this litigation. This is defendant City's first request for such a stay.

As the Court is aware, the country is currently grappling with the COVID-19, or coronavirus, pandemic. On March 7, 2020, Governor Andrew Cuomo declared that New York is in a state of emergency because of the rapidly developing pandemic situation. On March 13, 2020, Mayor Bill de Blasio followed suit, and declared New York City to be in a state of emergency as well. Further, on March 20, 2020, Governor Cuomo signed the "New York State On Pause" Executive Order, mandating that all non-essential personnel stay at home. In light of pronouncements from government officials, associated policies, expert recommendations, and the citywide efforts to curb the further spread of COVID-19, the New York City Law

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<sup>1</sup> Plaintiff also names New York City Police Department officers Ricardo Montilla, Kirk Bishop, Matthew Ferguson, and Juan Collado as defendants. According to plaintiff's counsel, defendant Ricardo Montilla was served with process on or about March 9, 2020. It is unclear whether the remaining individually named defendants have been served with process. Further, this office has made no decisions regarding the representation of these named defendants. Nevertheless, to the extent that any such individuals have been properly served, this office respectfully requests that the court *sua sponte* stay their responses to the complaint.

Department, along with the majority of employers in New York City, beginning on or about March 15, 2020, increasingly transitioned its workforce to work from home status.

Due to the fact that the aforementioned recent developments have caused (1) this Office to reduce its in office workforce to essential employees only, (2) the state courts to halt non-critical functions, and (3) health providers, businesses, and agencies throughout New York City and state to overwhelmingly reduce their in-office workforce, there has been a significant disruption in normal business functions that has affected the undersigned's ability to defend this matter. Specifically, at a minimum, the undersigned is unable to confer with and/or obtain discovery documents from the courts, district attorney's office, the police department, and/or health care providers. The undersigned also notes that resolving representation, to the extent that service of process can be effected at this time, is going to be extremely difficult as the New York City Police Department focuses its resources on responding to the pandemic. As such, this Office respectfully requests a ninety (90) day stay of this matter.

Thank you for your consideration herein.

Respectfully submitted,

*Laura Iheanachor* /s/

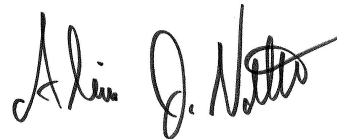
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cc: By ECF  
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The Court hereby adjourns all deadlines in this matter, including those for the non-appearing Defendants, for 60 days. This is without prejudice to Defendant's request for a longer stay. Defendant may seek an additional stay when the 60-day stay expires.  
SO ORDERED.

SO ORDERED. 4/2/20



Alison J. Nathan, U.S.D.J.